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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/662,618	09/15/2003	John W. Chamberlain	0112300-752	9761
29159	7590	02/19/2010		
K&L Gates LLP P.O. Box 1135 CHICAGO, IL 60690			EXAMINER PANDYA, SUNIT	
			ART UNIT 3714	PAPER NUMBER
			NOTIFICATION DATE 02/19/2010	DELIVERY MODE ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

chicago.patents@klgates.com

Office Action Summary

Application No.

10/662,618

Applicant(s)

CHAMBERLAIN ET AL.

Examiner

SUNIT PANDYA

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15, 17-22 and 24-29 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15, 17-22 & 24-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 01/14/2010.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

This action is in response to amendments filed on 11/11/09, wherein the examiner acknowledges that claims 1-4, 8, 10, 11, 13-15, 17, 19, 21, 22, 24 & 26-29 have been amended, no claims have been added or canceled; consequently, claims 1-15, 17-22 & 24-29 are currently pending.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 14, 15 and 26-29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lucero (US Patent 6,019,283) in view of DeMar et al. (US Patent 6,270,410).

Claims 14 & 26: Lucero discloses a gaming device confined within a housing (figure 1), configured to operate to request and receive fund electronically, wherein the gaming machine comprises a game processor configured to operate to receive fund transfer request from a player, wherein the request includes an account number and an amount, (figure 4, figure 6, element 124, col. 4: 44-53, col. 5: 23-34). Lucero also discloses sending the request to a remote fund repository that generates a response to the request, wherein the response is indicative of whether the request has been

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approved or denied (col. 4: 17-53). Lucero also discloses a processor to a printer that prints ticket of the amount request and approved (col. 4: 37-43), and wherein the processor is configured to operate without direct communication between the processors (figure 6, element 124, col. 7: 51-68 & col. 8-9: 65-6, wherein Lucero discloses a processor to perform the game related processes and fund transfer related processes). Lucero, however, fails to explicitly disclose plurality of processors.

In an analogous art, DeMar et al, teaches of a game machine consisting of plurality of processors, wherein each processor designated to perform has its own process such as, game related tasks, and fund transferring task (col. 9: 35-60). It would have been obvious for one with ordinary skill in the art, at the time of the invention, to have modified the game machine disclosed by Lucero, to include plurality of processors, as taught by DeMar, to allow different game related tasks to be separated to maximize game machine performance, by distributing workload performed through plurality of processors.

Claim 15: Lucero discloses the fund transfer request which includes a PIN number (col. 5: 42-47).

Claim 27: Lucero discloses that the payment device is a credit meter, and also providing a receipt for the transaction (col. 7: 23-43).

Claim 28: Lucero discloses the banking network being a wide area network (col. 5: 60-66, figure 2, element 30).

Claim 29: Lucero discloses that the network is a local area network (col. 7: 43-51, wherein Lucero discloses a casino only network).

Claims 1-13, 17-22, and 24-25 are rejected under 35 U.S.C. 103 (a) as being unpatentable over the combination of Lucero and DeMar, in view of Nguyen et al. (US Patent 6,585,598).

Claims 1 & 17: The combination of Lucero and DeMar teaches a gaming device configured to operate to request and receive fund electronically, wherein the gaming machine comprising a game processor configured to operate to receive a wager from a player to initiate game (figures 2 & 3, and col. 3: 58-65), Lucero and DeMar also teaches a card reader which is configured to operate with the controller, which is operable to process electronic fund request by the player (col. 4: 44-53 & col. 5: 3-13). Lucero and DeMar also teaches a payment device configured to operate to provide a monetary amount to a player upon inserting a card, and receiving an approval from the electronic fund transfer request from a remote fund repository that communicates with the EFT controller via a banking network (col. 4: 20-54), all of the said devices are withheld in a housing (figure 1, element 10). The combination of Lucero and DeMar, however, fails to disclose receiving an approval for the electronic fund transfer request from a remote fund repository that communicates with the EFT controller via a banking network and without said approval being communicated from the EFT controller to the game processor.

In an analogous art, Nguyen et al. teaches a cashless gaming system wherein a player using a wireless device to requests fund and receives a response from remote

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fund repository, without approval being communicated from the EFT controller to the game processor (col. 5: 24-40, wherein the remote fund repository wires the requested amount directly to a game machine and prints a receipt acknowledging the transfer). It would have been obvious for one with ordinary skill in the art, to modify the game machine taught by the combination of Lucero and DeMar to provide a direct communication between the ticket validation network and the remote fund repository as taught by Nguyen et al. to transfer funds directly to a game machine being used by a player, without having to obtain and communicate the approval from the EFT controller to the game processor, thus providing more efficient use of computing resources (col. 1: 23-39).

Claim 2: Combination of Lucero, DeMar and Nguyen et al. teaches that the card is a credit card or a debt card (Lucero col. 3: 58-65).

Claim 3: Combination of Lucero, DeMar and Nguyen et al. teaches that the amount is gaming device credits (Lucero col. 4: 35-43).

Claim 4: Combination of Lucero, DeMar and Nguyen et al. teaches that the payment device is a credit meter (Lucero col. 7: 23-43).

Claim 5: Combination of Lucero, DeMar and Nguyen et al. teach a gaming device which includes a display configured to operate with the electronic fund controller to display the transfer request on the display device (Lucero col. 4: 44-65).

Claim 6: Combination of Lucero, DeMar and Nguyen et al. teaches a display device for displaying both the credit information and the game play, (disclosed by Lucero figure 1).

Claim 7: Combination of Lucero, DeMar and Nguyen et al. teaches an input device operable with the fund transfer controller that enables the user to input fund transfer information (Lucero col. 4: 20-43).

Claim 8: Combination of Lucero, DeMar and Nguyen et al. teaches that the banking or the monetary repository network is a wide area network (Lucero col. 5: 61-67 & col. 6: 59-66).

Claims 9 & 18: Combination of Lucero, DeMar and Nguyen et al. teaches that the banking network being an internet (Lucero col. 5: 60-66, figure 2, element 30).

Claim 10: Combination of Lucero, DeMar and Nguyen et al. teaches a local area network that interfaces with the banking network and the local gaming machines (Lucero figure 6, col. 7: 42-66).

Claim 11: Combination of Lucero, DeMar and Nguyen et al. teaches that the local casino network supports casino player fund transfer (col. 5: 3-67, wherein fund transfer could be transfer of fund from the financial institute and back to the financial institute).

Claim 12: Combination of Lucero, DeMar and Nguyen et al. teaches a ticket validation system that keeps track of monetary amount provided to the players (Lucero col. 5: 3-34).

Claim 13: Combination of Lucero, DeMar and Nguyen et al. teaches an IC that interfaces between the game processor and the local casino network (Lucero col. 5: 48-67 & cols. 7-8: 43-3).

Claim 19: Combination of Lucero, DeMar and Nguyen et al. teaches, allowing plurality of different financial institutes to be accessed through the gaming machine (Lucero col. 3: 58-65).

Claim 20: Combination of Lucero, DeMar and Nguyen et al. teaches a casino network wherein plurality of game machines are linked together (Lucero col. 7: 43-50).

Claim 21: Combination of Lucero, DeMar and Nguyen et al. teaches gaming machine having possibility of slot, poker and other similar types of games (Lucero col. 3: 38-41).

Claim 22: Combination of Lucero, DeMar and Nguyen et al. teach that the network is a local area network (Lucero col. 7: 43-51).

Claim 24: Combination of Lucero, DeMar and Nguyen et al. teaches a printer that prints ticket of the amount request and approved (Lucero col. 37-43, thus having monetary value on the ticket).

Claim 25: Combination of Lucero, DeMar and Nguyen et al. teach that the printer located on the gaming machine (Lucero incorporates Pellegrini's Patent 4,575,622, within his own patent in column 4: 1-2, and Pellegrini discloses of a printer located on the gaming machine).

Response to Arguments

Applicant's arguments filed on 11/11/09 have been fully considered but they are not persuasive.

With regard to applicant's arguments, one page 8, regarding the examiner's use of Lucero reference, the examiner would like to point out that during the interview, the examiner had said if proper amendments were made, it would help to overcome Lucero, however, the amendments submitted as is, were not enough to overcome Lucero, since Lucero still discloses most of the claimed limitation, said reference is still used to reject the claims.

Regarding the applicant's arguments on page 11, that Nguyen, with regard to using a credit/debit card for gaming transaction, teaches away from the modification suggested by the applicant, the examiner respectfully disagrees. The examiner would like to bring column 2, lines 49-54 to the applicant's attention, wherein Nguyen clearly discloses using a card which contains routing/account number of a financial institute, which is swiped by a card reader followed by a pin number, to initiate monetary transmission. Furthermore, it is merely applicant's opinion that, implementing Nguyen's cashless game with Lucero's gaming system would teach away from the applicant's invention, even though it is well known in the art to accept/use a card at a gaming machine.

Regarding the applicant's arguments on page 12, that neither Lucero or Nguyen discloses a gaming device including a game processor, an EFT controller, and a housing that supports the EFT controller and the game processor, the examiner respectfully disagrees. Lucero in figure 2, discloses a gaming system which includes a game processor, an EFT controller, and a housing that supports the EFT controller and the game processor, and wherein there is no direct communication between an EFT

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controller and the game processor. Lucero in column 4, further describes a gaming device, which houses both the EFT controller, to transfer fund from a remote repository to an gaming device, and a separate payment device operable with the game processor to provide monetary amount to the player, after the approval has been processed by the EFT controller.

Thus, applicant's arguments have been fully considered but are deemed non-persuasive, and the rejection is maintained.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to SUNIT PANDYA whose telephone number is (571)272-2823. The examiner can normally be reached on M-Th 8 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dmitry Suhol can be reached on 571-272-4430. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Dmitry Suhol/
Supervisory Patent Examiner, Art
Unit 3714

SP